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REMARKS

The Examiner has objected to the Figure 28 in the drawings. Applicant has amended such drawing to be designated as "PRIOR ART," as requested by the Examiner. The Examiner has objected to the abstract of the specification. Applicant has amended the abstract hereinabove to overcome such objection.

The Examiner has rejected Claims 1-90 under 35 U.S.C 112, second paragraph, as being indefinite. Specifically, the Examiner has argued that the word "operable" is unclear since it is unclear whether the function is actually performed or only an intended action. Applicant respectfully asserts that "operable" means "functions," such that, as in Claim 1, for example, the "receiving code functions to receive...." Thus, the word "operable" is not indefinite.

The Examiner has rejected Claims 1-20 under 35 U.S.C. 102(e) as being anticipated by Uszok et al. (U.S. Patent Application No. 2004/0205772). Applicant respectfully disagrees with such rejection, especially in view of the amendments made hereinabove to each of the independent claims.

With respect to Claim 1 et al., the Examiner has relied on paragraphs [0014], [0050] and [0055] to make a prior art showing of applicant's claimed "receiving code operable to receive at said destination computer operation specifying XML data sent by said source computer" (see the same or similar, but not necessarily identical language in each of the foregoing claims). Applicant respectfully asserts that the only mention of XML in the excerpts relied on by the Examiner relates to a "client side...[that] implements...pure XML." Clearly, a client that implements XML does not meet applicant's specific claim language of "specifying XML data sent by said source computer" (emphasis added). In fact, applicant notes that Uszok discloses that the "server side...implements functional logic," and since the client in Uszok implements XML, neither the server nor client would send "specifying XML data" to the other.

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Still with respect to Claim 1 et al., the Examiner has relied on paragraph [0057] to make a prior art showing of applicant's claimed "parsing code operable to parse said operation specifying XML data to identify one or more complex data types within said operation specifying XML data" and "matching code operable to match the or each complex data type with an associated execution process available to said destination computer" (see the same or similar, but not necessarily identical language in each of the foregoing claims).

Applicant respectfully asserts that such excerpt merely discloses creating an instance of an sBot using an sBot class. Applicant notes, however, that nowhere in such excerpt is there even a suggestion of parsing, and especially not "parsing...specifying XML data to identify one or more complex data types within said operation specifying XML data," as specifically claimed by applicant (emphasis added). In addition, Uszok does not even mention any sort of matching, let alone matching "each complex data type with an associated execution process available to said destination computer," as claimed by applicant (emphasis added).

For reasons similar to those presented above, applicant respectfully asserts that the following highlighted claim language in Claim 46 et al. has also not been met by the Uszok reference:

"forming at said source computer operation specifying XML data containing one or more complex data types;  
transmitting from said source computer to said destination computer said operation specifying XML data; wherein  
the or each complex data type within said operation specifying XML data corresponds to an execution process available to said destination computer to be triggered to operate."

The Examiner is reminded that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a

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single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, the identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.* 868 F.2d 1226, 1236, 9USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

This criterion has simply not been met by the Uszok reference, for the reasons noted hereinabove. Nevertheless, despite such paramount deficiencies and in the spirit of expediting the prosecution of the present application, applicant has substantially incorporated the subject matter of Claims 4-7 et al. into each of the independent claims.

With respect to Claim 4 et al., presently incorporated into each of the independent claims, the Examiner has relied on paragraph [0100] from Uszok to make a prior art showing of applicant's claimed technique "wherein said operation performed includes configuring said destination computer to execute a computer program." Applicant respectfully asserts that such excerpt simply teaches installing a botMaster application on a portable device, and not "configuring said destination computer to execute a computer program," in the context claimed by applicant (emphasis added).

With respect to Claim 5 et al., presently incorporated into each of the independent claims, the Examiner has relied on paragraph [0064] from Uszok to make a prior art showing of applicant's claimed technique "wherein said execution process is operable to map configuration data specified within said operation specifying XML data to a configuration data store of said destination computer." Applicant respectfully asserts that such excerpt merely teaches "user setup data...[that] is stored." Clearly, storing user setup data, as in Uszok, does not meet applicant's claimed "configuration data specified within said operation specifying data." In addition, such excerpt also fails to teach any sort of configuration data store, as claimed by applicant, in view of the fact that such excerpt only generally teaches that user setup data is stored, but is silent as to where it is stored.

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With respect to Claim 6 et al., presently incorporated into each of the independent claims, the Examiner has relied on paragraph [0048] to make a prior art showing of applicant's claimed technique "wherein said configuration data store is one of: a Windows Registry entry; an INI file; a DAPI store; and a database entry." In relying on such excerpt, it seems the Examiner has relied on Uszok's disclosure of an event registry utilized for publishing and subscribing to various events to meet applicant's specific claim language. Applicant respectfully asserts that the registry relied on by the Examiner in no way meets a configuration data store, let alone a configuration data store that "is one of: a Windows Registry entry; an INI file; a DAPI store; and a database entry."

With respect to Claim 7 et al., presently incorporated into each of the independent claims, the Examiner has relied on paragraph [0070] to make a prior art showing of applicant's claimed technique "wherein said identifier of an execution process within said complex data type includes at least one of: data specifying a computer file operable to trigger said execution process; data specifying a communication channel operable to trigger said execution process; and data specifying an operating system command operable to trigger said execution process." Applicant respectfully asserts that such excerpt merely relates to creating a botBox account, and therefore does not teach an "identifier of a execution process [that] includes at least one of: data specifying a computer file operable to trigger said target process; data specifying a communication channel operable to trigger said target process; and data specifying an operating system command operable to trigger said target process" (emphasis added), as claimed.

Since the Uszok reference fails to teach or suggest all of the claim limitations, as noted above, a notice of allowance or a proper prior art showing of all of applicant's claim limitations, in combination with the remaining claim elements, is respectfully requested.

Still yet, applicant brings to the Examiner's attention the subject matter of new Claims 91-94 below, which are added for full consideration:

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"validating said operation specifying XML data received at said destination computer against schema data, where said schema data is sent to said destination computer from said source computer at the same time as said operation specifying XML data" (see Claim 91);

"validating said operation specifying XML data received at said destination computer against schema data, where said schema data is present in said destination computer when said operation specifying XML data is sent" (see Claim 92);

"parsing said operation specifying XML data after validating said operation specifying XML data to extract at least one identifier for mapping said at least one identifier to an available execution process" (see Claim 93); and

"wherein said operation specifying XML data includes parameter data used by said execution process in said operation" (see Claim 94).

Thus, all of the independent claims are deemed allowable. Moreover, the remaining dependent claims are further deemed allowable, in view of their dependence on such independent claims.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (408) 505-5100. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1351 (Order No. NAIIP480/01.298.01).

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